

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

United States of America *ex rel.*
Rosanne Cottone,

Plaintiff,

vs.

Kindred Rehab Services, Inc. d/b/a
Peoplefirst Rehabilitation, Kindred
Hospital Charleston, Kindred Healthcare,
Inc., Hall Orcutt, Mary Van de Kamp,
Stephen C. Mantegani, Athena Beldecos,
and Velma Johnson,

Defendants.

C.A. #2:08-cv-03953-PMD-RSC

ORDER

This matter is before the court upon the magistrate judge's recommendation that defendant United States of America's motion to dismiss Counts 1-4 be granted. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b)(1)(B).


This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that **Counts 1-4 of the Complaint** are **dismissed without prejudice**, and United States of America is stricken from the caption and excluded from any future filings or notices herein. Further, the Relator, Rosanne Cottone, shall proceed *pro se* with Count 5. The Complaint shall be unsealed and the Clerk of Court shall prepare and forward a Serve Order directing Relator to serve the Complaint upon the defendants.

ORDERED, that the magistrate judge's report and recommendation is adopted as the order of

this Court.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

November 4, 2009
Charleston, South Carolina